

**AMENDMENTS TO THE CLAIMS**

Please amend claims 3, 12 and 27 as shown below. A complete listing of the claims that are, or were, in the instant application are presented according to revised 37 C.F.R. § 1.121.

**Listing of Claims:**

1. (Canceled)

2. (Previously presented) An isolated nucleic acid molecule comprising a nucleotide sequence that encodes SEQ ID NO:2.

3. (Currently amended) The isolated nucleic acid molecule according to claim 2, comprising ~~the coding region~~nucleotides 68-433 of SEQ ID NO:1.

4-5. (Canceled)

6. (Previously presented) A chimeric gene comprising a promoter active in plants operatively linked to the nucleic acid molecule of claim 2.

7. (Original) A recombinant vector comprising the chimeric gene of claim 6.

8. (Original) A transgenic host cell comprising the chimeric gene of claim 6.

9. (Previously presented) The transgenic host cell according to claim 8, which is a transgenic plant cell.

10. (Original) A transgenic plant comprising the transgenic plant cell of claim 9.

11. (Original) The transgenic plant of claim 10, which is selected from the group consisting of: rice, wheat, barley, rye, rape, corn, potato, carrot, sweet potato, sugar beet, bean, pea, chicory, lettuce, cabbage, cauliflower, broccoli, turnip, radish,

spinach, asparagus, onion, garlic, eggplant, pepper, celery, squash, pumpkin, cucumber, apple, pear, quince, melon, plum, cherry, peach, nectarine, apricot, strawberry, grape, raspberry, blackberry, pineapple, avocado, papaya, mango, banana, soybean, tobacco, tomato, sorghum, and sugarcane.

12. (Currently amended) Transgenic seed from a transgenic plant according to claim 10, wherein said transgenic seed comprises a nucleic acid molecule that encodes SEQ ID NO: 2.

13. (Previously presented) A method of increasing SAR gene expression in a plant, comprising the steps of:

- (a) introducing the chimeric gene of claim 6 into a plant cell; and
- (b) regenerating a transformed plant from said plant cell, wherein said transformed plant has increased SAR gene expression.

14.- 20. (Canceled)

21. (Previously presented) A chimeric gene comprising a promoter active in plants operatively linked to the nucleic acid molecule of claim 3.

22. (Previously presented) A recombinant vector comprising the chimeric gene of claim 21.

23. (Previously presented) A transgenic host cell comprising the chimeric gene of claim 21.

24. (Previously presented) The transgenic host cell according to claim 23, which is a transgenic plant cell.

25. (Previously presented) A transgenic plant comprising the transgenic plant cell of claim 24.

26. (Previously presented) The transgenic plant of claim 25, which is selected from the group consisting of: rice, wheat, barley, rye, rape, corn, potato, carrot, sweet potato, sugar beet, bean, pea, chicory, lettuce, cabbage, cauliflower, broccoli, turnip, radish, spinach, asparagus, onion, garlic, eggplant, pepper, celery, squash, pumpkin, cucumber, apple, pear, quince, melon, plum, cherry, peach, nectarine, apricot, strawberry, grape, raspberry, blackberry, pineapple, avocado, papaya, mango, banana, soybean, tobacco, tomato, sorghum, and sugarcane.

27. (Currently amended) Transgenic seed from a transgenic plant according to claim 25, wherein said transgenic seed comprises a nucleic acid molecule comprising nucleotides 68-433 of SEQ ID NO: 1..

28. (Previously presented) A method of increasing SAR gene expression in a plant, comprising the steps of:

- (a) introducing the chimeric gene of claim 21 into a plant cell; and
- (b) regenerating a transformed plant from said plant cell, wherein said transformed plant has increased levels of SAR gene expression.